UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

JOSHUA LINER,

Plaintiff,

DECISION AND ORDER

98-CV-6343L

v.

GLENN GOORD, et al.,

Defendants.

By decision and order filed October 9, 2008 (Dkt. #60), plaintiff's complaint against two defendants was dismissed and his cross-motion for summary judgment denied. By notice of motion filed October 20, 2008 (Dkt. #63), plaintiff has filed what in essence is a motion for reconsideration. Plaintiff has also appealed the prior decision and order.

## CONCLUSION

Plaintiff's motion for reconsideration (Dkt. #63) is in all respects denied.

IT IS SO ORDERED.

DAVID G. LARIMER

United States District Judge

Dated: Rochester, New York October 22, 2008.